

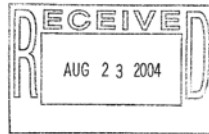
## Comment Letter AL036

SOUTHEAST LOS ANGELES COUNTY

AL036



**GATEWAY CITIES**  
COUNCIL OF GOVERNMENTS



California High Speed Rail Authority  
August 18, 2004

Artesia  
Avalon  
Bell  
Bellflower  
Bell Gardens  
Cerritos  
Commerce  
Compton  
Cudahy  
Downey  
Hawaiian Gardens  
Huntington Park  
La Habra Heights  
La Mirada  
Lakewood  
Long Beach  
Lynwood  
Maywood  
Montebello  
Norwalk  
Paramount  
Pico Rivera  
Santa Fe Springs  
Signal Hill  
South Gate  
Vernon  
Whittier  
County of Los Angeles  
Port of Long Beach

August 18, 2004

California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

Subject: California High Speed Train Draft EIR/EIS

Ladies and Gentlemen:

On behalf of the Gateway Cities Council of Governments representing 27 cities in southeast Los Angeles County, we are submitting the comments which follow for consideration by the California High-Speed Rail Authority (Authority) and the Federal Railroad Administration (FRA or Administration). This project envisions a statewide High-Speed Train System (HSTS) of which a small segment (the northern portion of the Los Angeles to San Diego HSTS) would pass through several of the Gateway Cities along one of two existing track alignments (Union Pacific Railroad (UPRR) and Burlington Northern Santa Fe Railway Company (BNSF)). The following comments are submitted on behalf of the Gateway communities and reflect the primary concerns of our members regarding the potential effects of the HSTS project extending through our communities.

After reviewing the extensive HSTS alignment review alternatives through the Gateway Cities area, the EIR/EIS identified two alternative alignments through our area of concern. These proposed HSTS alignments pass through the Cities of Pico Rivera, South Gate, Downey, Santa Fe Springs, Norwalk, La Mirada and unincorporated territory in the County of Los Angeles. The LOSSAN Corridor, which occupies the BNSF track alignment through our communities, is identified as one alternative alignment for HSTS (Page 2-90). This alignment would be "incrementally" upgraded to meet the

high-speed rail requirements through this segment of the alignment. Descriptions in the EIR/EIS are not absolutely clear as to whether three tracks would be sufficient or whether four tracks would be required. Further, it is not clear whether the new HSTS track would be placed in a trench (one alternative) or would be installed at grade. These issues and their associated impacts need to be clarified in the final document because they will play a major role in the more detailed evaluations in the future for this alignment.

AL036-1  
cont.

The UPRR Santa Ana Branch Line is identified as a second alternative. This alignment closely follows the Interstate 5 Freeway. Unlike the BNSF alternative route, which must be shared with existing commuter rail operations, the UPRR route is identified as a "dedicated" route. However, it is not clear whether this dedicated HSTS track would be one or two tracks additional tracks, and whether it will be at grade or elevated. Ultimately these design requirements will play a major role on the level of impact on Gateway communities and they need to be clarified in the final document.

AL036-2

We also have concerns about the impact of widening the Santa Ana Freeway (Interstate 5, I-5) as part of the Modal Alternative. Any use of the UPRR corridor would need to take into consideration the changes in rail right-of-way and track alignment that will be needed to accommodate the widening of the I-5 freeway in the future. Elements of that project are already under design and the State expects to begin construction in 2008. The net result of these plans is that any widening of I-5 is likely to have a more adverse impact on property take than portrayed in the EIR/EIS. Additional information regarding the potential effects of current I-5 widening plans and the UPRR corridor should be provided in the final document.

AL036-3

One of the problems inherent in preparing a document for a state-wide project like the HSTS is the very broad level of information that must be used to evaluate such a project's impacts, particularly when several alternatives are being considered. This is especially apparent in the discussions of land use, communities and neighborhoods, property and environmental justice. The evaluations contained in the EIR/EIS are simply too general to be meaningful. Perhaps the best example of this problem is the discussion regarding property and environmental justice in Subchapter 3.7. Discussions on pages 3.7-10 through 3.7-12 characterize the land uses in the Gateway Cities communities as an "highly urbanized mix", excludes the land uses adjacent to the LOSSAN corridor from experiencing community cohesion impacts; and concludes that, by

AL036-4

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AL036-1

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## Comment Letter AL036 Continued

California High Speed Rail Authority  
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locating the proposed HSTS tracks within an existing transportation corridor, environmental justice issues are "generally" reduced to a less than significant impact level.

We do not concur with these conclusions and feel strongly that the data supporting the conclusions ignores the actual effects that the HSTS tracks will have on our member cities. For example, the EIR/EIS ignores the fact that a third main track is being installed along the LOSSAN on the BNSF tracks to serve commuter train and freight operations. This means that a fourth track must be installed on the LOSSAN corridor if it is selected. The BNSF right-of-way does not have space for a fourth track which automatically means that substantial property acquisition will be required along this alignment. The effect of this acquisition is ignored in the EIR/EIS. Significant property takes will be required, much of it within residential neighborhoods in Pico Rivera and unincorporated Los Angeles County, adjacent to Santa Fe Springs. Further, these residential areas are comprised of older homes occupied by low income minority and elderly residents. The requirement to take such properties will have significant effects on land use compatibility, property and environmental justice issues for Gateway Cities along the LOSSAN alignment and these impacts have been either down-played or dismissed in the EIR/EIS as "generally" less than significant impacts.

Additionally, in conjunction with the BNSF third-track project, the cities of Pico Rivera, Santa Fe Springs and La Mirada are proceeding with plans to construct grade separations at various locations within the LOSSAN corridor. These grade separations were identified and engineered prior to finalizing the HSTS Draft EIR/EIS. However, the EIR/EIS fails to address the impact of the LOSSAN alternative on the grade separations (individually or collectively) and it ignores the potential for these improvements to be adversely affected if the LOSSAN alternative is used and a fourth track is placed adjacent to the existing tracks. Given the substantial benefits to our communities from these grade separations and the substantial funds that will be used to implement them, the final EIR/EIS must address this issue.

The same concerns, albeit to a lesser extent due to the higher proportion of industrial and commercial uses, occur along the UPRR Santa Ana Branch Line. Again, the corridor is too small for the HSTS tracks to be installed without adversely affecting land owners, many of them minorities. Land use compatibility effects along with property and environmental justice issues should also be identified as significant along this corridor for Gateway communities.

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We believe that the proposed HSTS project will result in disproportionate effects on minority and low-income residents of our communities, which in turn will result in significant environmental justice effects of the proposed project, regardless of the alignment selected through our region. However, before identifying a preferred route through the Gateway Cities communities, it will be essential to compile more detailed, site specific data regarding the land use compatibility, property, and environmental justice issues. The amount of data available in the EIR/EIS is not yet sufficient to make a decision regarding which corridor should be selected through our area and such selection must be deferred to the future when such data have been compiled.

In reviewing the other specific topics in the EIR/EIS, we have some comments regarding the analysis and conclusions contained in several of the subchapters. For example, in Subchapter 3.11, Hazardous Materials and Wastes, the method of analysis does not provide sufficient data to make judgments regarding future encounters with contaminated areas. The analysis relies upon known or identified contaminated locations. We suggest that in addition to this limited data set, the analysis should include a review of historical land uses along the various HSTS track alignments. In Santa Fe Springs and immediately adjacent areas, historic oil production has created a potential for encountering unknown contaminated areas from poor practices in managing spills from old oil wells. Thus, this historic use poses an additional potential for contamination. Similar problems may exist in other portions of Los Angeles and for areas of the San Joaquin Valley. Some evaluation of land tenure patterns should be included in the final EIR/EIS to identify additional areas with a higher potential for contamination.

In Subchapter 3.4, Noise, there are assumptions that noise impacts for HSTS tracks within existing rail or traffic corridors will not cause significant noise impacts on the adjacent communities. We do not concur with this conclusion. The HSTS tracks, regardless of whether they are installed at grade or elevated through Gateway communities, will expand the areas impacted by noise corridors, i.e., additional sensitive noise receptors will be exposed due to expanded noise contours above 65 dBA CNEL or Ldn adjacent to such corridors. The noise analysis in the EIR/EIS primarily focuses on comparison of alternatives without discussing the expansion of such noise impacted areas along the HSTS tracks. As a screening tool, the final EIR/EIS should include data that discusses the amount of additional sensitive noise receptors that may be exposed to incompatible noise levels. This is essential to identify future property takes and

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## Comment Letter AL036 Continued

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adequate buffers. Also note that substantial reliance is made in the EIR/EIS on sound walls to attenuate the cumulative increase in noise. Sound walls for rail operations do have some limitations for the following reasons. First, sound walls serve as visual and physical barriers that may cause significant divisions in our communities. Second, sound walls reflect sound and may cause incrementally more significant impacts in the direction opposite the wall. Finally, such walls in urban communities can result in significant visual blight due to graffiti and interference with local views. CEQA requires a discussion of environmental consequences of proposed or suggested mitigation and these issues are not addressed in the EIR/EIS.

Regarding electromagnetic fields (Subchapter 3.6), the overall analysis indicates that impacts from the HST system will not cause significant increase in exposure to unhealthy impacts. However, it is not yet clear whether an electric system will be installed through the Gateway communities or whether the electric system will be elevated, overhead catenary system, or not. These issues need to be clarified in the final EIR/EIS to allow our local community leaders to adequately take into account this potential effect on residents that live adjacent to the proposed HSTS track alignments.

Subchapter 3.9 addresses aesthetic and visual resource impacts. The analysis concludes (page 3.9-11) that "there are no potentially high aesthetic or visual impacts that could not be reduced or mitigated through design treatments". We do not concur with this conclusion and refer to the text immediately above which states (paraphrase): A typical double-track HST, at grade, would have 50 to 100 foot fenced right-of-way, and an elevated guideway would have a 50 foot right-of-way. Catenary supports would be six (6) feet high and would be located every 30 feet along both sides of the track to support the electric wires that supply power to the trains. Imposing such features, even in areas where existing rail corridors exist, would make a dramatic change in the visual setting and this change would be negative. Thus, we suggest that the aesthetic/visual impact of the proposed HST system would result in substantial and significant changes in the visual setting along the whole corridor where it is ultimately installed. Even in urban settings, such visual changes are permanent and more intrusive than at grade rail improvements. Further, in most cases the impacts of aesthetic mitigation measures, not considered in the EIR/EIS, may further degrade the visual setting (for example sound walls to control noise). Therefore, we suggest that this impact be identified as unavoidable and significant, not mitigable to a less than significant level.

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California High Speed Rail Authority  
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Finally, we comment on the project financing. The cost of constructing the HSTS system occurs mostly north of Los Angeles County, yet the burden of paying for the \$9.95 billion General Obligation bond that is envisioned will fall mostly on Southern California taxpayers. Similarly, the \$5 billion in federal matching funds assumed in the funding plan would mostly benefit the northern part of the State and likely reduce federal funding available for Southern California. This suggests that there is a serious imbalance between who benefits and who pays for the system that needs to be addressed in the funding plan.

Construction costs of the HST alternative are estimated at \$33 to \$37 billion, a portion of which is proposed to be financed through "existing airport user fees and passenger facility charges...local funds (from existing sources), and existing state transportation revenue sources (e.g., gas tax, sales tax on gasoline)." Even if the voters approve the high-speed rail general obligation bond in November, 2006, that leaves \$24 to \$28 billion additional funding that needs to be identified. The use of such existing local funds and state transportation revenue sources is of significant concern given more pressing unfunded transportation needs in the State's metropolitan areas. In most cases, these funding sources are already obligated for state and regional projects and would not be – nor should they be – available to help fund a statewide HST system.

A majority of the \$33 to \$37 billion cost of implementing the high-speed rail system would be financed through general obligation bonds and federal grants or loans. However, the potential impact this could have on future state and local funding needs for existing or planned infrastructure is not discussed; nor is the impact on federal, state and local funding sources addressed. The potential effects on availability of federal funds for other projects in the state or regions of the state requesting financial support must be addressed in the final document.

The Draft EIR/EIS alleges that the California HSTS would have operating revenues in excess of operations and maintenance costs. We do not concur. Virtually no public transportation system in the world (high-speed or not) that operates in competition with subsidized transportation systems and services as the HST would, is capable of covering operations and maintenance costs from project revenues. Similarly, virtually none are profitable using conventional accounting principles that include allowances for depreciation and replacement of capital plant and equipment. The same can be said for most airlines in most years. Given these facts, the projection of operating surpluses for the HST system seems

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**Comment Letter AL036 Continued**

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improbable, and needs further analysis and corroboration before the fiscal impacts can be assessed. Moreover, it is not completely clear what numbers are being used to arrive at the profitability conclusion. This must be clearly spelled out in the final document.

AL036-14  
cont.

In closing, it is recognized that even the thousands of pages produced in support of the EIR/EIS cannot provide detailed information on all components of the specific alignment. The comments submitted above are designed to highlight the local impact issues that we believe conflict with the overall conclusions in the EIR/EIS. It would be better to acknowledge these local effects as raising the level of potential impact to a significant level, rather than deferring such conclusions to the more detailed analyses in the future. We respectfully request that these locally significant impact issues for our communities, as well as others in the State, be acknowledged in the final EIR/EIS. This will set the stage for developing appropriate mitigation and budgeting adequate funds to allow implementation of the HSTS project in the future. Failure to integrate such mitigation and costs for implementing mitigation may result in severe underestimates in the cost of implementing the HST system in a timely and reasonable manner. Thank you in advance for your attention to the issues raised above and we look forward to your responses to our comments.

AL036-15

Sincerely,



Richard R. Powers  
Executive Director



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**Response to Comments of Richard R. Powers, Executive Director, Gateway Cities Council of Governments, Southeast Los Angeles County, August 23, 2004 (Letter AL036)**

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**AL036-1**

The Draft Program EIR/EIS considered several options for service to the Gateway Cities and Orange County. These included direct HST service using the LOSSAN corridor or the Santa Ana Branch, and options to have HST service stop at Union Station where passengers would transfer to non-electric conventional rail service. The LOSSAN option would have four tracks through Southeast Los Angeles County. The Authority has identified the LOSSAN corridor direct HST service to Irvine option as the preferred HST alignment for serving Orange County and Southeastern Los Angeles County.

As shown on Figure 6.6-2 of the Final Program EIR/EIS (also see the "Alignment Configuration and Cross Sections" technical report dated January 2004) the HST alignment would be primarily at grade in the LOSSAN corridor throughout southeastern Los Angeles County (the Gateway Cities). This figure identifies a section between Anaheim and Santa Ana as "LOSSAN Trench Option". Due primarily to the sheer density of at-grade crossings in the Orange-Santa Ana area, the HST option for the LOSSAN corridor require this trench concept to achieve a fully grade separated alignment. Non-electric conventional improvement options are not the responsibility of the Authority and have not been included in the analysis presented in the Final Program EIR/EIS. This has been clarified in the Final EIR/EIS.

**AL036-2**

The Authority has identified the LOSSAN corridor as the preferred alignment for HST service between to Southeastern Los Angeles County and Orange County. The HST design option investigated for the UPRR Santa Ana Line assumed two HST tracks with four tracks at intermediate stations. The Draft Program EIR/EIS identifies a "fully dual track mainline with off-line stopping tracks" under HST performance criteria (page 2-26). For more details regarding design

assumptions, please see the "Alignment Configuration and Cross Sections" and "Engineering Criteria" technical reports (January 2004). Figures 2.17-13 and 6.6-2 of the Draft Program EIR/EIS, show the profile assumptions for both the UPRR Santa Ana Line and the LOSSAN corridor. Please also see the "Alignment Configuration and Cross Sections" technical report (January 2004) for more information.

**AL036-3**

The I-5 widening included in the Modal Alternative to carry intercity trips is not related to other proposals to widen I-5 for general traffic. The Authority and the FRA have identified the HST Alternative as the preferred alternative and the LOSSAN corridor as the preferred alignment to Southeastern Los Angeles County and Orange County. Your comments regarding potential impacts from widening I-5 will be addressed in subsequent project level analysis, when the proposed action is more specifically defined.

**AL036-4**

The Draft Program EIR/EIS does not ignore the fact that a third main track is being installed along the LOSSAN corridor to serve commuter and freight operations between Los Angeles and Fullerton. As stated on page 2-14 of the Draft Program EIR/EIS, "All the intercity passenger rail system improvements identified in the STIP and the Caltrans California Intercity Rail Capital Program for implementation prior to 2020 are included in the No Project Alternative and are identified in Appendix 2-C." Appendix 2-C (pages 2-C-2 & 2-C-3) identifies the triple track projects being implemented between Los Angeles and Fullerton. The program process has concluded that a fourth main track would be required for the preferred LOSSAN corridor alignment option. The conceptual design for the LOSSAN corridor concluded that the fourth main line could fit predominately within the existing freight right-of-way, thereby minimizing potential

land use impacts. Limited right-of-way acquisition was included in the analysis of land use impacts. The Authority and FRA have worked closely in cooperation with Caltrans Division of Rail, and have toured the right-of-way with Caltrans, BNSF, and the Authority's consultants. Should the HST proposal move forward, more detailed preliminary engineering design will be required as a part of future project specific studies.

**AL036-5**

The grade separations being constructed on the LOSSAN corridor were included in the No Project Alternative (see Appendix 2-C). The fourth main track would be constructed in a manner that does not adversely impact the existing grade separations. Please see the design practices sections of the Final EIR/EIS (added to each section of Chapter 3 for environmental resources).

**AL036-6**

Potential land use impacts for the Santa Ana Branch option are reflected in the analysis of land use impacts in the Program EIR/EIS.

**AL036-7**

The Draft Program EIR/EIS assessed the potential for property and environmental justice impacts in section 3.7. Along the LOSSAN option, "the potential for [environmental justice] impacts along these alignments would be expected to be low, because potential improvements would occur along an existing operating rail corridor, and because residential uses that are located within 0.25 mi (0.40 km) of the rail corridor are typically buffered from the rail by non-residential uses." (Draft Program EIR/EIS p. 3.7-25 & 26)

The Authority has identified the LOSSAN Corridor as the preferred HST alignment for HST service to Southeast Los Angeles County and Orange County. This option assumes shared operations with other passenger services and separation from freight with 4 total tracks (2 for passenger rail services and 2 for freight) between Los Angeles and Fullerton.

Shared use improvements to the LOSSAN corridor would be considerably less costly (about \$2.25 billion less) and would have considerably fewer environmental impacts than a new dedicated alignment along the UPRR Santa Ana line.

Environmental impacts would be minimized since this alignment utilizes the existing LOSSAN right-of-way. Noise impacts from existing rail operations could be reduced due to the elimination of horn noise and gate noise from existing rail services as a result of adding grade separations at existing grade crossings.

Further analysis at the project level could indicate somewhat greater infrastructure requirements with potentially increased costs and environmental impacts. However, the cost and potential for environmental impact associated with the LOSSAN corridor option are expected to still be considerably less than those associated with the UPRR Santa Ana option. The identification of the LOSSAN rail alignment as the preferred alignment is based on the assumption that the capacity and compatibility issues associated with the shared operations with existing non-electric service (Surfliners, Metrolink, and freight) can be resolved.

**AL036-8**

Acknowledged. The hazardous materials and wastes analysis was carried out at a program level of detail. Should the HST proposal move forward, more detailed hazardous materials and wastes analysis would be done as part of future project specific studies.

**AL036-9**

Contrary to the commentor's statement, the Draft Program EIR/EIS did not assume that the addition of high-speed train infrastructure and services along an existing rail corridor would not cause significant noise impacts. Instead, the Authority acknowledges the potential for noise impacts and applied established methodologies to identify the approximate number and extent of noise sensitive resources at a program level of analysis. The potential noise impacts of the proposed HST service in the two shared operation rail corridors that are being considered would result primarily from the

greater frequency of trains, since the HST service would be operating at reduced speeds and would create similar noise levels to the existing services. However, grade separation of existing rail operations would result in considerable noise benefits from the elimination of the warning bells at existing at-grade crossings and the horn blowing of current commuter/intercity trains along these alignments.

The purpose of the programmatic noise screening analysis was to identify the likelihood that noise-sensitive receivers would be close enough to the proposed alignments for noise impact to be potentially significant. Specific HST noise levels can only be determined during the project level noise assessment.

In the Draft Program EIR/EIS, a noise barrier is discussed as a representative measure of noise mitigation to provide an estimate of potential mitigation effectiveness and cost associated with alternative HST alignment options. Although most noise barriers tend to reflect some sound, placement of barriers on both sides of the rail line would cancel most of this effect and they can also be installed with sound absorptive surfaces, thereby eliminating most of the reflected sound energy. Visual effects of noise barriers are highly site-specific in nature. Assessment of these secondary effects and the appropriate use of sound walls in specific locations will be addressed in subsequent project level environmental review.

#### **AL036-10**

The Authority has identified a preferred HST system that includes a preferred HST alignment along the LOSSAN corridor providing direct service to Orange County. The HST system would be completely grade separated, fenced and electrified (overhead catenary) as defined in the Draft Program EIR/EIS (see Chapter 2 "Alternatives"). The Draft Program EIR/EIS includes information regarding the assumed HST profile (see Figure 2.17-13 of the Draft Program EIR/EIS, "HST Alignment Configuration – Profile Characteristics, Los Angeles San Diego Via Orange County Region"). Please also see the "Alignment Configuration and Cross Sections" technical report

(January 2004) for more information. No EMF impacts are expected (please see Section 3.6).

#### **AL036-11**

The Authority and the FRA disagree with your assessment. At a program level of detail, adding such features as fencing and electric catenary to an existing rail corridor should not be identified as "unavoidable and significant" for visual setting at the program level of analysis. Visual impacts are highly site-specific in nature. These issues will be addressed during subsequent project level environmental review, based on more precise information regarding the visual context and the location and design of the facilities proposed (e.g., elevated, at-grade, catenary design features, fencing type and location, etc.). The project level of detail will allow the Authority to further investigate ways to avoid, minimize and mitigate potential visual affects. Once the alignment is refined and the facilities are fully defined through project level analysis, and only after avoidance and minimization efforts have been exhausted, will specific impacts and mitigation measures be addressed.

#### **AL036-12**

The Program EIR/EIS does not include a financing plan. It also does not include a phasing plan. The primary purpose of the HST system is to link the major metropolitan regions of the state which include Los Angeles, the Inland Empire, Orange County, San Diego, the I-15 Corridor, and the Antelope Valley. The station with the highest forecast boardings and alightings is Los Angeles Union Station (San Diego is fourth, and East San Gabriel Valley sixth). Of the 28 potential HST station locations included as part of the preferred HST alignment, 14 are located south of the Tehachapi Mountains (11 in the SCAG region, and 3 in the San Diego region), and 14 are located north of the Tehachapi Mountains (8 in the Bay Area Region, and 5 in the Central Valley, and 1 in Sacramento).

**AL036-13**

The Program EIR/EIS does not include a financing plan nor has the Authority developed one yet. The quote in your comment letter is either not from the Draft Program EIR/EIS. While previous feasibility studies by the Commission and the Authority have investigated a number of potential funding sources, neither the Commission nor the Authority has proposed a HST financing plan to be partially financed through "existing airport user fees and passenger facility charges...local fund (from existing sources), and existing state transportation revenue sources (e.g., gas tax, sales tax on gasoline)."

**AL036-14**

The HST system would not be a public transportation system providing subsidized transportation. Please see the Final Business Plan, which the program EIR/EIS incorporates by reference. The Authority and the FRA disagree with your assessment of other high-speed transportation systems in the world. Please see standard response 2.1.1, standard response 2.1.2.

**AL036-15**

Acknowledged. The analysis for the Program EIR/EIS does recognize many potentially significant impacts that would typically have local and site-specific attributes. The Authority and the FRA believe the analysis of potentially significant impacts that has been described is appropriate for a program level document and supports the conclusions of the Final Program EIR/EIS. Should the HST proposal move forward, future more detailed project specific studies would be required that would address site-specific issues.



## Comment Letter AL037

**RESOURCE MANAGEMENT AGENCY**

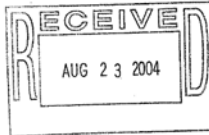
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**AL037**  
**DAVID PRICE III, DIRECTOR**

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August 18, 2004

Mr. Mehdi Morshed, Executive Director  
 California High-Speed Rail Authority  
 925 L Street, Suite 1425  
 Sacramento, CA 95814

Re: **Draft Program Environmental Impact Report/ Environmental  
 Impact Statement for the Proposed California High-Speed Rail  
 System**

Dear Mr. Morshed:

The County of Kern has reviewed the Draft Program Environmental Impact Report/ Environmental Impact Statement for the Proposed California High-Speed Rail System. With respect to project support, station locations, routes and the maintenance facility, Kern County has the following comments:

1. The County of Kern is in support of a High-Speed Rail System for intercity travel in California that connects the major metropolitan areas of the state, including metropolitan Bakersfield.
2. The Kern County Board of Supervisors and the Bakersfield City Council unanimously approved a preferred station location in downtown Bakersfield in the vicinity of the current Amtrak station ("Truxtun Station"). An extensive study was commissioned by the Kern Council of Governments to assist in determining a preferred station location. This location was also adopted by the Board of the Kern Council of Governments, which is made up of representatives from the County and all incorporated cities within the County.
3. Between Sacramento and Bakersfield, the County of Kern has no preferred rail alignment. Either the Union Pacific Railroad (UPRR) or the Burlington Northern-Santa Fe (BNSF) alignments are acceptable as long as they support the Truxtun Station location site.

AL037-01

AL037-02

AL037-03

**MR. MEHDI MORSHED**  
**AUGUST 18, 2004**  
 Page 2

4. Between Bakersfield and Los Angeles, the County of Kern supports the SR-58/Soledad Canyon alignment with a potential station site in Palmdale. This alignment and station would serve many of the residents in the eastern portion of Kern County, including the communities of Ridgecrest, Inyokern, California City, Mojave, Boron, and Rosamond.
5. Kern County supports the placement of a High-Speed Rail maintenance facility within the County. Kern County is located at the geographical center of the entire system and offers affordable land prices, an available labor pool, excellent educational opportunities, a high quality of life, and numerous other advantages. As you are aware, the Kern Transportation Foundation has previously prepared and submitted to the Authority a report on the benefits of locating the maintenance facility in Kern County.

AL037-04

AL037-05

Kern County thanks the High-Speed Rail Authority for this opportunity to comment on the Draft Environmental Impact Report/Environmental Impact Statement. We look forward to a continued relationship with the California High-Speed Rail Authority and the completion of the High-Speed Rail System.

Sincerely,

David Price III  
 Director

cc: Members, Board of Supervisors  
 County Administrative Officer  
 City of Bakersfield  
 Kern Council of Governments  
 Kern County High-Speed Rail Task Force

Printed on Recycled Paper

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**Response to Comments of David Price, III, Director, County of Kern, Resource Management Agency,  
August 23, 2004 (Letter AL037)**

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**AL037-1**

Acknowledged

**AL037-2**

Acknowledged. The Authority has identified the Truxton Station site as the preferred potential HST station location to serve Bakersfield.

**AL037-3**

Acknowledged. The Authority has identified the BNSF alignment between Fresno and Bakersfield as the preferred HST alignment. This alignment does serve the preferred Truxton Station location.

**AL037-4**

Please see standard response 6.23.1.

**AL037-5**

Please see standard response 2.35.1.

## Comment Letter AL038

AL038

Friday, August 20, 2004

Ms. Carrie Pourvahidl  
Deputy Director  
California High Speed Rail Authority  
925 "L" Street, Suite 1425  
Sacramento, CA 95814

SUBJECT: City of Madera Response to EIR/EIS For California High Speed Rail Project - 2004

Dear Ms. Pourvahidl:

The California High Speed Rail Authority and the Federal Railroad Administration have prepared a Draft EIR/EIS which describes and summarizes the environmental impacts of a proposed high-speed train system for intercity travel in California from Sacramento and San Francisco metropolitan areas through the Central San Joaquin Valley to the Los Angeles and San Diego metropolitan areas. The document was released in January 2004 and the comment period has been extended to August 31<sup>st</sup>, 2004.

There is no question that the implementation of a high-speed rail service will benefit the State and Central Valley, but the City of Madera has significant concerns regarding the location of the route and lack of local access to the train system. Madera is located between Fresno and Merced Counties on State Route 99 and is dissected by the Union Pacific Rail Road. Should the Authority elect to locate an "at or elevated grade" right-of-way alignment for the high speed system running directly through Madera we can expect the following:

1. An exacerbation of the sociological and physical barriers that already divide the east and west sides of town. The division of Madera, whether real or perceived, continues to negatively impact the sense of our community. Much has been done by Madera's existing and past leaders to mitigate this feeling of the "have and have nots," and for this reason the high-speed rail project should not undo the efforts of our community leaders to bind the community into a one cohesive community.

2. Using the existing Union Pacific right of way for high speed rail will negatively impact our existing rail spurs that serve various business and industrial areas in the community.


3. Third, constructing a high speed elevated track will cause significant noise issues for Madera's adjacent downtown business district that cannot be effectively mitigated by sound barriers.

4. Lastly, neither EIS alternative calls for creating a train station stop in Madera. However, both the County of Madera and City support Caltrans application for Transit Capital Improvement (TCI) monies to build an Amtrak Station along the Burlington Northern Santa Fe alignment near Road 26, north of Avenue 17 in Madera to serve local residents.

For the above reasons, the Madera City Council formally endorses either the re-routing of the high speed rail to the Burlington Northern alignment which includes an Amtrak Station on the eastern under-developed side of Madera or any other alignment that bypasses the developed portions of town. We believe these alternatives will eliminate the four negative impacts noted above.

Kindly include this letter as the Madera City Council's response to the Draft EIR/EIS for the high speed rail project. Please contact City Administrator David Tooley at (559) 661-5402 if you have any questions about the contents of this correspondence.

Respectfully Submitted,

  
John Wells  
Mayor

c: Madera County Transportation Commission - Trisha Taylor Maley

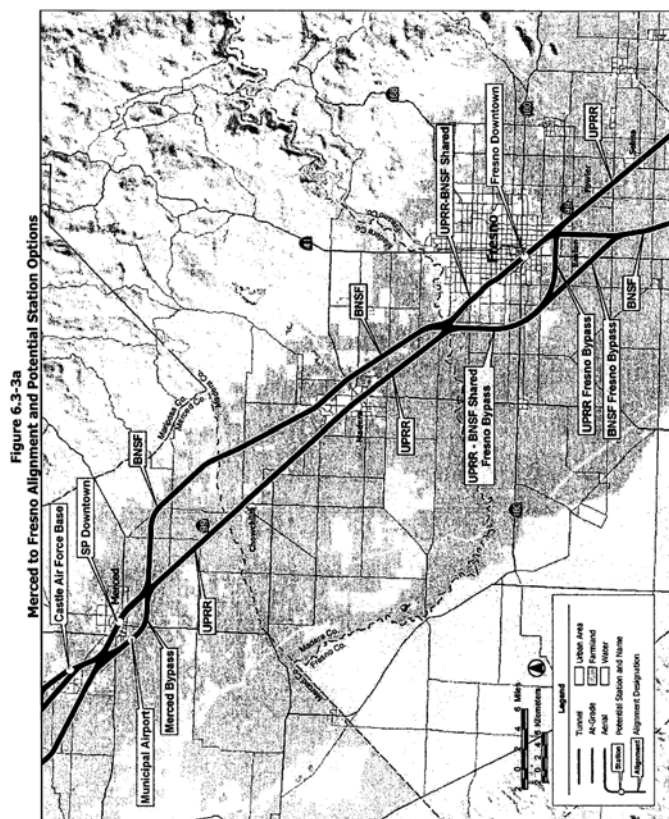


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711 or 1-800-735-2929

## Comment Letter AL038 Continued





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**Response to Comments of John Wells, Mayor, City of Madera, August 23, 2004 (Letter AL038)**

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**AL038-1**

Acknowledged. The Authority has identified the BNSF alignment as the preferred HST alignment between Merced and Fresno. Please see standard response 2.31.4 in regards to HST station spacing and the identification of station locations. The Authority has identified potential HST stations at Sacramento, Stockton, Modesto, Merced, Fresno, and Bakersfield to serve the Central Valley.

**AL038-2**

Please see response to Comment AL038-1.

**AL038-3**

Please see response to Comment AL038-1.

**AL038-4**

Please see standard response 2.31.4 in regards to HST station spacing and the identification of station locations. The Authority has identified potential HST stations at Sacramento, Stockton, Modesto, Merced, Fresno, and Bakersfield to serve the Central Valley.

**AL038-5**

Please see response to Comment AL038-1 and response to Comment AL038-4.

## Comment Letter AL039

AL039

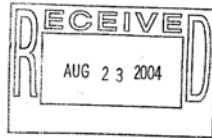


## COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7248 Fax (408) 779-7236  
Website Address: [www.morgan-hill.ca.gov](http://www.morgan-hill.ca.gov)

August 19, 2004

California High-Speed Train Authority  
Draft Program EIR/EIS Program Comments  
925 L Street, Suite 1425  
Sacramento, CA 95814



Honorable Authority Members:

The City of Morgan Hill would like to provide comments on the High-Speed Train Draft Program EIR/EIS in relation to the potential impacts to the City of Morgan Hill. The City requests the Authority further study the following potential impacts:

- **Right-of-Way acquisition.** According to the Draft EIR, the HST will require 5'-70' of additional right-of-way acquisition along the CalTrain corridor. The Draft EIR does not discuss the location of the right-of-way acquisition or the impact the acquisitions would have on adjacent land uses. The Draft EIR states that the Monterey Highway corridor north of Cochrane would need to be realigned to the east and reconstructed. The Authority needs to further study the impact the right-of-way acquisition will have on adjacent land uses.
- **Direct Tunnel Routes.** The City opposes all routes that go through or impact Henry Coe State Park.
- **Noise.** As describe in the Draft EIR additional trains on the tracks will cause more noise. Further, if sections of the HST right-of-way are elevated, the noise impact will be greater than grade level right-of-way. A noise study detailing the impacts the HST will have on the City should be conducted if the Pacheco Route is chosen.
- **Downtown HST station.** The Draft EIR states that a downtown station would be a two or three story aerial structure. Although the City's General Plan encourages transit stops in the downtown an aerial structure would have significant impacts to the downtown. Impacts included visual, traffic, parking, growth inducing impacts, and impacts to adjacent land use. If a station is built in the downtown, additional environmental study will need to be completed for the downtown station.
- **Visual/Aesthetic.** If sections of the HST is elevated there is potential for visual/aesthetic impacts throughout the City. If the Pacheco route is chosen, these impacts need to be studied further.

- **Historic/Cultural Resources.** The existing CalTrain right-of-way is adjacent to existing and potential significant historical and cultural sites. The realignment of Monterey Highway has a high probability to impact potential and existing cultural sites in the Madrone area of Morgan Hill. The Madrone area is a historic area of the City bound by the CalTrain right-of-way to the west, Highway 101 to the east, Cochrane Road to the south, and the City Limits to the north.

In addition, the realignment of Monterey Highway will impact the historic Walnut Trees along Monterey Road, which Santa Clara County has listed in their historic inventory. If the Pacheco route is chosen, the potential impact to historic and cultural resources will need to be further studied.

- **Biological/Natural Resources.** The City of Morgan Hill has a burrowing owl mitigation plan. The purpose of the plan is to protect existing owls and mitigate the lost of habitat. The City's burrowing owl mitigation applies to projects on lands that are below 600 feet elevation above sea level that support any grassland and/or mixed herbaceous vegetation upon which an activity is proposed that defined as a "project" by CEQA and is not statutorily or categorically exempt. Depending on the location of the future HST right-of-way acquisition, there could be a taking of burrowing owl habitat, thus triggering the mitigation listed in the mitigation plan.

Significant trees are protected and defined in section 12.32 of the Morgan Hill Municipal Code. The future HST right-of-way may impact significant trees. Once the alignment is chosen, the impact to trees will need be further studied.

If you have any questions, please feel free to contact, Scott Plambacck, Associate Planner with the City's Community Development Department at (408) 779-7247 or [scottp@morgan-hill.ca.gov](mailto:scottp@morgan-hill.ca.gov). Please add the City to your mailing list for future information.

Sincerely,

James B. Rowe  
Interim Community Development Director

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AL039-6

AL039-7

AL039-1

AL039-2

AL039-3

AL039-4

AL039-5

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**Response to Comments of James B. Rowe, Interim Community Development Director, City of Morgan Hill, Community Development Department, August 23, 2004 (Letter AL039)**

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**AL039-1**

The impacts of potential right of way acquisition along the Caltrain corridor are summarized in Section 3.7.4: Comparison of Alternatives; Item A: BAY AREA TO MERCED; Property; High-Speed Train Alternative. The potential property impacts, including specific right-of-way areas to be acquired and associated impacts, would be addressed in subsequent project level environmental reviews, should a decision be made to move forward with the proposed HST system.

**AL039-2**

Acknowledged. See standard response 6.3.1

**AL039-3**

Acknowledged. The Authority is recommending further study of the San Jose to Merced segment, including the Pacheco Pass corridor.

**AL039-4**

Acknowledged. The Authority is recommending further study of the San Jose to Merced segment, including Morgan Hill and vicinity.

**AL039-5**

Acknowledged. See response to Comment AL039-3.

**AL039-6**

Acknowledged. See response to Comment AL039-3.

**AL039-7**

Acknowledged. Specific impacts and mitigation measures would be identified and analyzed in subsequent project level environmental review.